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6 # UNITED STATES DISTRICT COURT

7 ## DISTRICT OF NEVADA

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9 DARRELL CONNERS,

10   Petitioner,   Case No. 3:15-cv-00372-RCJ-VPC

11 vs.   **ORDER**

12 RENEE BAKER, et al.,

13   Respondents.

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15   Petitioner, who is a prisoner in the custody of the Nevada Department of Corrections, has

16 filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. The court dismisses this

17 action because petitioner did not pay the filing fee and did not file an application to proceed in

18 forma pauperis, together with a signed financial certificate and a copy of his inmate account

19 statement, as required by 28 U.S.C. § 1915(a)(2) and Local Rule LSR 1-2. The court has reviewed

20 the petition preliminarily, and the dismissal of this action would not affect the timeliness of the

21 action under 28 U.S.C. § 2244(d)(1), because the action already appears to be untimely.

22   Reasonable jurists would not find the court's conclusion to be debatable or wrong, and the

23 court will not issue a certificate of appealability.

24   IT IS THEREFORE ORDERED that the clerk of the court shall send petitioner a blank form

25 for an application to proceed in forma pauperis for incarcerated litigants and a blank § 2254 habeas

26 corpus petition form with instructions.

27   IT IS FURTHER ORDERED that this action is **DISMISSED** without prejudice to

28 petitioner's commencement of a new action in which he either pays the filing fee in full or submits a
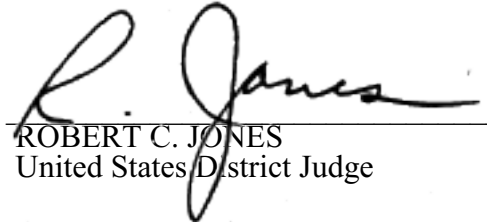
1 complete application to proceed <u>in forma pauperis</u>, accompanied by a signed financial certificate

2 and a statement of his inmate account. The clerk of the court shall enter judgment accordingly.

3   IT IS FURTHER ORDERED that a certificate of appealability is **DENIED**.

4   IT IS FURTHER ORDERED that the clerk shall add Adam Paul Laxalt, Attorney General

5 for the State of Nevada, as counsel for respondents.

6   IT IS FURTHER ORDERED that the clerk shall electronically serve upon respondents a

7 copy of the this order. No response is necessary.

8   Dated this 25th day of August, 2015.

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ROBERT C. JONES
United States District Judge

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